

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

FAIR ISAAC CORPORATION,

Court File No. 16-cv-1054 (WMW/DTS)

Plaintiff,

v.

FEDERAL INSURANCE COMPANY,
an Indiana corporation, and ACE
AMERICAN INSURANCE COMPANY,
a Pennsylvania corporation,

Defendants.

**DECLARATION OF
CHRISTIAN V. HOKANS IN
SUPPORT OF DEFENDANTS'
OPPOSITION TO PLAINTIFF'S
OBJECTION TO MAGISTRATE'S
ORDER STRIKING JURY DEMAND
ON DISGORGEMENT REMEDY**

I, Christian V. Hokans, declare as follows:

1. I am an attorney at Fredrikson & Byron, P.A. and am one of the attorneys representing Defendants Federal Insurance Company and ACE American Insurance Company in this case.

2. For the Court's convenience, below I have attached or provided the location of copies of several articles cited in Defendants' Opposition to Plaintiff's Objection to Magistrate's Order Striking Jury Demand on Disgorgement Remedy.

3. A true and correct copy of Tomás Gómez-Arostegui's work *What History Teaches Us about Copyright Injunctions and the Inadequate-Remedy-at-Law Requirement*, 81 S. Cal. L. Rev. 1197, is available at:

https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1101974

4. A true and correct copy of Tomás Gómez-Arostegui's work *The Untold Story of the First Copyright Suit under the Statute of Anne in 1710*, 25 Berkeley Tech.

L.J. 1247 (2010), is available at:

https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1572177

5. A true and correct copy of a short excerpt from Tomás Gómez-Arostegui's work *Equitable Infringement Remedies before 1800* in Research Handbook on the History of Copyright Law 195, 220-25 (Isabella Alexander & Tomás Gómez-Arostegui eds., 2016) was previously filed in this case at Dkt. No. 333-1.

6. A true and correct copy Tomás Gómez-Arostegui's work, *What History Teaches Us about US Copyright Law and Statutory Damages*, 5 WIPO Journal, 76 (2013), is available at: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2380396

7. A true and correct copy of Pamela Samuelson and Mark P. Gergen's work, *The Disgorgement Remedy of Design Patent Law*, Forthcoming, 108 Calif. L. Rev. __ at 43 (2020), is available at: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3353536

8. A true and correct copy of the transcript of the Hearing before the Committee on Patents, House of Representatives, 79th Cong., 2d Sess., on H.R. 5231, Jan. 29, 1946, is attached hereto as Exhibit A.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: November 6, 2019

s/ Christian V. Hokans